## GAMBLING LAW.

Text of the Hunt Bill, Which Has Virtually Passed Both Houses of the Legislature.

A List of the Games Which Shall Not be Licensed in This Ter-

Strict Provisions for Punishment of In frincements of the Law by Any

The house amendments to the anti-surething gambling bill were concurred in by the council yesterday, and the act is now in the hands of the enrolling clerk. Its adoption by the council is insured in the form in which it is printed below:

form in which it is printed below:
Be it Enacted by the Legislative Assembly
of the Territory of Montana:
Section 1. That if any person or persons
shall deal, play at or make any bet or
wager of any kind, for money or anything
representing money or any other thing of
value, or at any of the game or games
called, designated or known as three card
monte, strap or beit game, thimbie-rig,
monte, patent safe game, black and red
game, ten dice game, wheel of fortune, percentage stud horse poker, percentage draw
poker, twenty one, high ball, blue jay,
chuck luck, short faro, roulette, two card
box faro, loaded dice game, bee hive game,
case game, brace faro game, keno, high for
luck game, brace game, envelope game, or
any brace game or games of any character
or description whatsoever, or any of the any brace game or games of any character or description whatsoever, or any of the said games called by different names, or any game or games similar to those enumerated in this section, but called by different names; or any person or persons who plays at or conducts a game of cards where marked cards are used, or who uses any box or device for any game of chance of any character or description with intent to deceive any person playing at any such game or games; or any person who in collusion with any other person plays at or induces another to play at any game or games of chance with intent to deceive or mislead any other person; or any person who conducts or deals at any game or games of chance, where the percentage is greater in chance, where the percentage is greater in favor of the dealer than it appears to be on its face; or who conducts or deals at any cheating or fraudulent game of chance of any kind or description whatever; or who any kind or description whatever; or who plays at or conducts any game of chance of any character where the dealer or person conducting such game has any secret or hidden or unfair means of playing or dealing whereby the party who plays is deceived by such or hidden or unfair means; or shall induce or solicit, or attempt to induce or solicit, any person or persons whatever to make any bet or wager, or play at any such game or games. persons whatever to make any bet of wager, or play at any such game or games, he is guilty of a felony, and on conviction thereof shall be imprisoned in the territorial penit ntiary for a term not less than six months nor more than two years, and by a fine of not less than one hundred dollars nor more than five hundred dollars. Provided, Nothing in this act contained shall be construed to in any way prevent or probe construed to in any way prevent or pro-hibit the licensing and conducting accord-ing to law of the games called and known as faro bank and round the table poker, or the seiling of auction and Paris mutual

hibit the licensing and conducting according to law of the games called and known as far o bank and round the table poker, or the selling of auction and Paris mutual pools on races.

Sec. 2. Whoever keeps a room, building, tent, booth, shed, or tenement of any kind, to be used or occupied for carrying on or playing any gambling games as designated in section 1 of this act, or knowingly permits the same to be used or occupied for carrying on or playing any such games, or whoever being the owner of any house, room, building, tent, booth, shed or tenement of any kind, rents the same or any portion thereof to be used or occupied for carrying on or playing any gambling game or games prohibited by this act is guilty of a misdemeanor, and on conviction shall be fined not more than five hundred fined not more than five hundred nor less than one hundred dollars, or im-prisoned in the county jail not more than prisoned in the county jail not more than six months nor less than ten days, or both, in the discretion of the court; and any owner of any such building, booth, tent, shed or tenement who knows that any of the games by this act prohibited are played or kept therein, and does not forthwith make complaint before some officer qualified under the laws of Montana territory to issue a warrant of arrest against the person or persons so

hundred dollars, and be imprisoned in the county jail not more than six months nor less than ten days.

See, 6. Any treasurer of any city or county in this territory who shall issue any tilcense to any person of persons, for the purpose of running or playing any gambling game or games, or similar games as designated in section 1 of this act is guilty of a misdemenant, and shall on conviction thereof be fined not more than live hundred nor less than one hundred dollars, or be imprisoned in the county jail not more than six months nor less than ten days, or both, in the discretion of the court, and the holder or holders of any license or licenses issued for the games prohibited by this act, and which may have been issued for any period of time extending beyond February 25th, 1889, shall have a valid claim or claims against suchbeounty or city for any sum or sums which may have been for any period of time extending beyond February 25th, 1889, and all claims under the provisions of this act shall be filed and sudded as are other claims against counties and cities; and any county where any such license or licenses may have been lisued shall have a valid claim yave long and sudded as are other claims against counties and cities; and any county where any such license or licenses may have been lisued shall have a valid claim of this extending beyond February 25th, 1889, and all claims under the provisions of this act shall be filed and sudded as are other claims against counties and cities; and any county where any such license or licenses may have been lisued shall have a valid claim of the court, and the folder of the provisions of this act shall be filed and sudded as are other claims against counties and cities; and any county where any such license or licenses may have been lisued shall have a valid claim of the court, and the file of the provisions of this act shall be filed and sudded as are other claims against counties and cities; and any county where any such license or licenses may have been lisued shall hav

against the territory for the re funding of the percentage which may have been paid by the county treasurer of any such county into the territorial treasury, and upon filing the claim of any such county by the clerk of the board of county commissioners with the territorial auditor, such auditor is here by directed and empowered to draw his warrant upon the territorial treasurer for such amount out of any funds in the terri-torial treasury not other wise appropriated. Sec. 7. It shall be the duty of all sheriffs,

Sec. 7. It shall be the duty of all sherilfs, deputy sheriffs, constables and police officers, and they are hereby required, to seize any table, box, machine, case, dice, cards or other apparatus or article suitable for the purpose of playing or carrying on any gambling games as designated in sec. 1 of this act, found in the possession or under the control of the person so arrested and to deliver the same to the magistrate before whom the person arrested is required to be om the person arrested is required to be

sc. 8. The magistrate, to whom anything suitable for playing any gambling game as designated in sec, I of this act is delivered pursuant to the last section, must, upon examination of the defendant, or if such examination is delayed or presented without awaiting such examination. or if such examination is delayed or prevented, without awaiting such examination, determine the character of the thing so delivered to him, and whether it was actually employed or intended to be employed by the defendant in violation of the provisions of this act; and if he finds that it is of a character suitable for carrying on or playing any gambling games prohibited by this act, and that it has been used or was intended to be used by the defendent in violation of this act, he must cause it to be destroyed, or to be delivered to the county attorney of the county in which the defendent is liable to indictment or trial, as the interests of justice may, in

or trial, as the interests of justice may, in his opinion, require. Sec. 9. Upon the conviction of the de-Sec. 9. Upon the conviction of the de-fendant, the county attorney shall cause to be destroyed everything suitable for play-ing or carrying on any of the games prohi-bited by this act, in respect whereof the defendant stands convicted and which re-

defendant stands convicted and which remains in the possession or under the control of the county attorney.

Sec. 10. No person otherwise competent as a witness, shall be disqualified or excused from testifying as such, either before any court or jury, to any facts concerning offenses mentioned in this act on the ground that his testimony may criminate himself, and such testimony, if given, shall not be used as evidence against such shal! not be used as evidence against such

witness.
Sec. 11. No law of Montana territory
shall in any way be construed to permit in
any way whatsoever the running, carrying on or playing any of the games prohibited in section one of this act; and section 1350, fifth division compiled laws of Montana; and section ten of an act entitled an act to and section ten of an act entitled an act to amend an act entitled an et concerning licenses, approved Sept. 14, 1887, so far as they relate to the games prohibited in sec-tion one of this act, be and the same are hereby repealed. Provided, Nothing in this section, or this act anywhere con-tained shall be construed to prevent the licensing and conducting according to the law of the games called and generally licensing and conducting according to the law of the games called and generally known as faro bank, round the table poker and selling of Paris mutuals and auction pools on races. Sec. 12 One-half of all fines collected under the provisions of this act shall be paid to the person informing against the defendant, and the other half shall be turned over to the county treasurer of the county for the use of the general fund of such county.

county for the use of the general fund of such county.

Sec. 13. For each and every conviction of any person violating any of the provisions of this act, the county attorney prosecuting shall receive in addition to the fees now allowed him by law a fee of fifteen dollars to be allowed him by the county commissioners of the county where such convictions may be had.

Sec. 14. This act shall take effect and be in force on and after February 25th, 1889

the United States marshal and his deputies were on hand for business. Old settlers said the proceedings recalled scenes of their youth, but, to their surprise, there was no bloodshed.

The question was on the division of Alturas county into three counties, and and does not forthwith make complaint before some officer qualified under the laws of Montana territory to issue a warrant of arrest against the person or persons soglaying or using or keeping the same for such purpose or purposes, shall be deemed to have knowingly permitted the same to be used and occupied for such purpose. See 3. Whoever suffers or permits any gambling game or games of any kind or description, as designated in section 1 of this act to be played for gain upon, or by means of any gaming device, box, contrivance or machine of any character or denous ination whatsoever, in his building or room, or any part thereof, or in any outhouse, booth, tent or erection of which he has the care or possession, or upon any race track or fair grounds, is guilty of a misdemeanor and upon conviction shall be fined not more than five hundred not less than one hundred doilars, or shall be fined not more than five hundred to respit to the custom of the built, including the president, and seven in its favor. It has been the custom of the built, including the resortion of the court.

Sec. 4. Whoever keeps or exhibits for gain or to win or gain money or of the property, any keno bank or any gambling any gambling games, as designated in sec. I of this act, to be playing any gambling games, as designated in sec. I of this act, to be played at or within such place or places, or in any outhouse, building, room, or erection appendant thereto, or connected therewith, is guilty of a misdemeanor, and on conviction thereof shall be fined not more than six months nor less than one hundred doilars, and the more than in the dundred to the court of shall be fined to whole the court of the purpose of running or playing any gambling games, as designated in sec. I of this act, to be played at or within such place or place of place of the played and the played playing any gambling games as designated in sec. I of this act, to be played at or within such place or place of playing any gambling games as designated in sec. I of this act, t giving a slice of it to Bingnam, and it had occupied the attention of the council for

## KLEIN AT HOME.

The Samoan Newspaper Correspon. dent Eludes the Germans and Arrives at San Francisco.

Bismarck's People Reported to be Running Things Without any Regard for Others' Rights.

Captain Mullan Announces His Intention to Protect all American Citizens-An Englishman's Experience.

SAN FRANCISCO, Feb. 16 .- The steamship Mariposa from Australia and the samoan islands arrived this morning. Among the passengers is John C. Klein, the American newspaper correspondent, who has figured in the Berlin dispatches as having led the natives in the recent battles with the Germans on the island, but who claims to have witnessed the fight as a noncombatant in his capacity as correspondent. When martial law was declared on the islands by the Germans, an attempt was made by the latter to seize Klein, but he was rescued by Americans and took passage on the ocean steamer Mariposa for this port, When the Mariposa left Samoai the islands were still under martial law, German aggression had become very marked, and is claimed to have been directed against Americans as well as natives. The Mariposa left the Samoan islands Feb. 1. On that date none of the American men-of war ordered to go to the islands had arrived, and the Germans, under the operation of martial law, were in complete control of the islands and had in complete control of the islands and had commenced to search all vessels in Samoan waters, but after seizing an English tourist named Gillan on the steamer packet Richmond, Capt. Hand, of the English warship Royalist, ordered the man released and prepared for action. The Germans released Millan on this demand. The goods which arrived on the Richmond for American merchants at Ama the Germans would be a supported by the standard of the Richmond for American merchants at Ama the Germans would be supported by the standard of the supported by the standard of the supported by the support of the support arrived on the Richmond for American merchants at Apia the Germans would not permit to be landed, unless they were taken to the German storehouse and passed upon by German officials. The Samoan Times was suppressed Jan. 19, for stating that but for German support, and that unless Bismarck was deceived, he would not attempt to enforce an unpopular rule on the country. Prior to unpopular rule on the country. Prior to this Cusack was fined \$100 for reprinting certain American newspaper press com-ments on the Samoan situation. Capt. Fritz the German naval commander, Jan. 2 issued an order instructing all residents 2 issued an order instructing all residents to turn over all guns or ammunition held by them and proclaimed the right of search. Capt. Mullan, of the f American man-of-war Nipsic, protested against this action, stating that the American government had never recognized Tamasese and that no power would allow them to seize arms unless used against a friendly nation. The German troops, acting as the ruling. The German troops, acting as the ruling power in Apia, attempted to arrest Kiein, but on the advice of the United States consul he went on board the Nipsic, Jan. 28 Capt. Fritz made a demand on Capt. Mul-lan to release Klein, that he might be tried

men-of-war. American and English sub-jects were also threatened with deporta-tion, and an English steamer was taken in charge by an armed boat from a German war ship Instead of the war being prose-cuted against Mataafa and his followers, cuted against Mataafa and his followers, the Germans neglected them almost entirely and confined themselves to operations against American and English subjects. Early in the month of January a number of Tamasses's men began deserting, among them being one of his most prominent chiefs. They were not willing to join with the Germans in fighting against the natives of Samos, Jan 8 a large boat lead of Tamasses's solders came from up the coast and communicated with the German war ship Adler. The same night several deserters from Tamasses's side went to the camp of King Mataafa at Matasagl and informed him the Tamasese's side went to the camp of King Mataafa at Matasagi and informed him the cebels intended to make a raid on Apia on the following night and also assault Mataafa's party. The Germans were to assist the rebels as much as possible, and the American and English residents were to be attacked equally with Mataafa's men. The king at once informed the American and English residents of this fact, thus giving them an opportunity to prepare for the atthem an opportunity to prepare for the at-tack. At 12:30 o'clock on that night Cicut. Fillette, of the United States marine corps, in charge of the marine guard at American consulate was aroused by a at American consulate was aroused by a sentry, who informed him a fire was in progress in Matafale. He with four marines ran to the scene of the fire, about one mile away, and was one of the first to arrive there. It was found the residence of the German consul, Dr. Knappe, was in flames. In a few moments the fire had communicated to the German postoffice at the other end of the building and reaching across the street the flames attacked the German consulate. A large force of sailors from the American and English men-of-war went American and English men-of-war went ashore and fought the fire, while a force of German sailors came on shore with loaded rifies and bayonets fixed and did little to help extinguish the fire. A great deal of property was destroyed. While the fire was in progress Knappe declared he thought the occurence was en-tirely accidental. Within five or six hours, however, he expressed the belief that the American and English residents of Apia

### THE WEATHER.

Temperature Yesterday at Helena and a Various Other Points in the Northwest.

The temperature in Helena yesterday, as shown by R. S. Hale & Co.'s Yale College observatory thermometer, was as follows: 7 a. m., 8 degrees below zero; noon, 2, above; 6 p. m., 11 above; 10 p. m., 3 above. Dispatches to the INDEPENDENT last evening show the following conditions at the points named at 5 o'clock:

Mandan—Clear, 5 below.

Glendive—Cloudy, calm, 10 above.

Miles City—Clear, calm, 1 above.

Billings—Clear, cold.

Big Timber—Clear, 4 above.

Bozeman—Clear, calm, 5 below.

Livingston—Clear, calm, 10 above.

Missoula—Clear, calm, 10 above.

Philipspurg—Clear, calm, 3 below. Missoula—Clear, calm, 10 above,
Philipsburg—Clear, calm, 3 below.
Anaconda—Cold, cloudy, zero.
Butte—Clear and calm, 2 above.
Deer Lodge—Clear, calm, 10 above.
Marysville—Clear, calm, 8 below.
Great Falls—Cloudy, calm, 13 above.
Fort Shaw—Cloudy, calm, 10 above.
Fort Benton—Clear, calm, 18 above.
Battle Creek, N. W. T.—Cloudy, calm, 5 below.

Want to Keep Their Laborers. CHARLOTTE, N. C., Feb. 16 .- Emigration agents have been drawing from the country the able-bodied negroes. The farmers have become exasperated and determined to stop it, and have armed themselves. The militia have been called out in anticipation of trouble.

Six People Killed. PARKERSBURG, Va., Feb. 16.-The boiler of the John G. Jenks sawmill at Murphy, Pleasant county, burst to-day, and killed Albert Carr, fireman, James

### SOME OTHER TIME

Kestler and Owens, the Sluggers, Will Finish Their Fight for a \$300 Purse.

After Watching the Fun for a Time Sheriff Moore Concluded it Was Getting Brutal.

Who was About Knocked Out by the Anaconda Man.

PHILIPSBURG, Feb. 16 - [Special to the Independent.]—The fifty-round Kestler-Owens prize fight occurred at Morris hall here this evening. There were probably 400 or 500 persons present. Large delegations from Granite, Rumsey and other surrounding points arrived during the aftern on anxious to see a square stand-up fight for blood. The crowd began gathering about 9 o'clock, and by 10 the house was crowded. Hugh O'Neill was chosen r · feree and Henry Browning timekeeper. A exactly 10:15 the fight began. It ended at 10:55, lasting but forty minutes.

The first round amounted to little more

than a general loosening of the joints of the bruisers; the second resulted with first blood for Kestler, who planted one on Owens' proboscis and brought forth the daret. The third round gave the first standing is a question which a jury will have to decide. knock down to Owens, who laid his developed the first years of the first round ended without anything exciting. The fifth round witnessed the first knock-down for Kestler, who occasionally got in his butting to good advantage. In the sixth round Kestler got in a good knock-down on Owens. Betting was now even. Kestler again got in his butting qualifications to good advantage, and being called down said that he was a stranger in town and all he wanted was a fair show. In the seventh round Owens got in a good blow on Kestler's left jaw; Kestler again tried to butt, but was pulled off by the referee, amid cries of "foul" from the audience. In the eight Owens got in a good blow with his left, but Kestler followed with several good ones. This round ended with first blood for Kestler, who had been getting the best of the fight during the last two rounds, and came up about as fresh as at first.

The ninth round resulted in a clean knock-down for Kestler. Owens was very much used up, and bleeding profusely, and evidently demoralized. In the tenth round Kestler was getting decidedly the best of the battle, and knocked Owens about apparently as he chose. A. In the left of the first during the last two rounds, and came up about as freesh as at first.

The people of the territory of Montana, is and for the county of the First Judicial District of the Territory of Montana, is and for the county of two first and the last of the territory of Montana, is and for the county of two first and the last of the territory of Montana, is and for the county of two first and the last on the trict of the Territory of Montana, is and for the county of two first and the last was a stranger in the activation of the territory of Montana, is and for the county of two first and the last on the trict of the Territory of Montana, is and for the county of two first and the last of the territory of Montana, is and for the county of two first and the last on the trict of the Territory of Montana, is and for the county of two first and the last on th knock down to Owens, who laid his adversary fairly on the floor.

ors. Referee O'Neill would not call the fight a draw, and decided that it must be fought out at some future time, according to the articles of agreement, wherein it was stated that should the fight be interfered with in any way during its progress it should be finished at another time. The gate receipts, probably, will foot up \$600. 

A NOVEL DEFENSE.

Miss Margolin Said to Have Mistaken Her Child's Father for His Brother.

New York special: The breach of promise suit which Miss Lizzle Margolin has brought against Abraham Gitlin is full of peculiar circumstances. She asks the court to award her \$10,000. The defendant claims that Lizzie is mistaken in the identity of the man she is suing, and says it is not he whom she should sue, but his broth er Lyman. The case will come up in the city courts Feb. 11 In the meantime Abraham will languish in jail unless he The Interference Was Timely, for Owens can furnish \$2,000 bail. The girl is a pretty brunette of 17 years. According to

pretty brunette of 17 years. According to her story she was introduced to Abraham at his cousin's residence in March last. The young couple maintained the friend-liest relations for over six months.

This complaint alleges that she gave birth to twins on Christmas day. They died a few hours after birth. Early in November she brought Abraham up in the police court. As a result he was ordered to pay \$25 expenses and \$2 a week besides. His lawyer filed an affidavit by Hyman Gitling, the twin brother of the defendant, in which he swears that it was he who was introduced to the pretty young woman. That he courted her nd proposed marriage. In his affidavit he says that it was he, not his brother, who presented Miss Margolin with an engagement ring and other costly gifts; that he hired and furnished apartments for the use of the girl and her mother.

The brothers are each 22 years of age, of

and her mother.

The brothers are each 22 years of age, of the same build and height Both have dark hair and wear dark mustaches. They are as like as the Siamese twins or Corsican brothers, but whether Miss Margolin could not decide which one she was courting after an attachment of six months

Notice of Dissolution.

lon is by him assumed.

RDWIN W. CRAVEN.
ARTHUR J. CRAVEN.
Dated Helens, Montans, Feb. 9th, 1889.

# SANDS BROS.

# Commencing Monday Morning,

FEBRUARY 11,

And continuing during the week; and this means the lowest prices ever placed on this line of goods in Helena. Now is the time for our patrons to secure their Spring and

SKIRTS, COWNS.

CORSET COVERS. ETC., ETC.

Helena, M. T.